

AMENDED IN SENATE JUNE 13, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 913**

**Introduced by Assembly Member Feuer**

*(Coauthors: Assembly Members Bonilla, Huffman, and Williams)*

February 17, 2011

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An act to amend Section ~~251244.17~~ 25244.17.2 of the Health and Safety Code, relating to hazardous waste.

### LEGISLATIVE COUNSEL'S DIGEST

AB 913, as amended, Feuer. Hazardous waste: source reduction: certified green business program.

The existing Hazardous Waste Source Reduction and Management Review Act of 1989 requires the Department of Toxic Substances Control to establish a program for hazardous waste source reduction, including requiring specified generators of hazardous waste to maintain certain plans and reports with regard to hazardous waste reduction practices. The department is required to provide source reduction training and resources to various regional and local government assistance programs to identify and apply source reduction methods.

This bill would require the department, as part of implementing this program, to develop a California Green Business Program that provides *for support and assistance to local government programs that provide for* the voluntary certification of *small* businesses that adopt environmentally preferable business practices, including, but not limited to, increased energy efficiency, reduced greenhouse gas emissions, promotion of water conservation, and reduced waste generation. The

department would be required to take specified actions with regard to implementing the California Green Business Program *and would be authorized to provide support and assistance to a local government program to enable the program to meet certain requirements.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the  
2 following:
- 3 (a) The California Green Business Program is a statewide  
4 network of local government programs that certify small- to  
5 medium-sized businesses as having adopted environmentally  
6 preferable business practices.
- 7 (b) These local government programs coordinate with other  
8 programs in their jurisdictions to assist businesses with achieving  
9 and moving beyond regulatory compliance.
- 10 (c) Businesses certified by this program implement multimedia  
11 pollution prevention activities to achieve measurable waste  
12 reduction, energy savings, water conservation, and sustainability,  
13 in consultation with local governments, utility providers, and other  
14 entities.
- 15 (d) The California Green Business Program promotes improved  
16 community health outcomes, economic vitality, sustainability, and  
17 green jobs.
- 18 (e) The California Green Business Program provides small  
19 businesses with a level and quality of consultation on  
20 environmentally preferable business practices ~~that~~ *to which* small  
21 businesses otherwise may have limited access.
- 22 (f) The California Green Business Program can save businesses  
23 money through coordinating with funding opportunities for  
24 efficiency upgrades and long-term savings associated with  
25 decreased utility bills.
- 26 (g) The Department of Toxic Substances Control serves as a  
27 statewide program contact, coordinator, and liaison with other  
28 state agencies, consistent with subdivision (h) of Section 25244.13  
29 of the Health and Safety Code.

1 (h) In California, there are currently 14 county and two city  
2 green business programs, which have together certified over 2,600  
3 green businesses.

4 SEC. 2. Section 25244.17.2 of the Health and Safety Code is  
5 amended to read:

6 25244.17.2. The department shall expand the department's  
7 source reduction program to provide source reduction training and  
8 resources to CUPAs, small business development corporations,  
9 business environmental assistance centers, and other regional and  
10 local government environmental programs so that they can provide  
11 technical assistance to generators in identifying and applying  
12 methods of source reduction.

13 (a) The program expanded pursuant to this section shall  
14 emphasize activities necessary to implement Sections 25244.17  
15 and 25244.17.1.

16 (b) As part of implementing the program required by this  
17 section, the department shall develop a California Green Business  
18 ~~Program that provides for the voluntary certification of businesses~~  
19 *Program that provides support and assistance to programs*  
20 *operated by local governments to meet the requirement of*  
21 *subdivision (c) and that would voluntarily certify small businesses*  
22 *that adopt environmentally preferable business practices, including,*  
23 *but not limited to, increased energy efficiency, reduced greenhouse*  
24 *gas emissions, promotion of water conservation, and reduced waste*  
25 *generation. The department's California Green Business Program*  
26 *shall do all of the following:*

27 (1) Assist the network of statewide local government programs  
28 in implementing guidelines and structures that establish and  
29 promote a level of consistency among green business programs  
30 across the state.

31 (2) Support, through staffing and contracts, the development  
32 and maintenance of a statewide database to register ~~businesses~~  
33 *small businesses granted green business certification, or its*  
34 *equivalent, pursuant to a local government program, and track*  
35 *measurable pollution reductions and cost savings.*

36 (3) Solicit participation of additional local programs and  
37 facilitate the startup of new local programs.

38 (4) Develop technical guidance on pollution prevention  
39 measures, conduct industry studies and pilot projects, and provide  
40 policy coordination for the participating local programs.

1     (5) Collaborate with relevant state agencies that operate small  
2     business efficiency and economic development programs, including,  
3     but not limited to, the Department of Resources Recycling and  
4     Recovery, the Public Utilities Commission, the State Energy  
5     Resources Conservation and Development Commission, the State  
6     Air Resources Board, and the Department of Water Resources.

7     (c) The department may provide support and assistance to a  
8     local government program to enable the program to meet all of  
9     the following requirements:

10    (1) The program will be operated by a local government or its  
11    designee.

12    (2) The program will adopt industry-specific standards for green  
13    business certification, or its equivalent, in consultation with the  
14    other participants in the California Green Business Program.

15    (3) The program will grant a small business that voluntarily  
16    applies to the program a green business certification or its  
17    equivalent, only upon a determination by the program operator  
18    or designee that the business is a small business, as determined  
19    by the program, and complies with the industry-specific standards  
20    for green business certification adopted pursuant to paragraph  
21    (2).

22    (4) The program will grant a green business certification, or  
23    its equivalent, to small businesses, as determined by the program,  
24    in accordance with all of the following requirements:

25    (A) Before the program grants green business certification or  
26    its equivalent, the program conducts an evaluation to verify  
27    compliance with the appropriate green business certification  
28    standards adopted pursuant to paragraph (2).

29    (B) A green business certification or its equivalent is granted  
30    only to an individual location of a small business.

31    (C) A green business certification or its equivalent is granted  
32    to an individual small business only for a limited time period, and,  
33    after the elapse of that time period, the small business is required  
34    to reapply for that certification.

35    (D) Compliance with applicable federal, state, and local  
36    environmental laws and regulations is required as a condition of  
37    receiving a green business certification or its equivalent.

38    (e)

39    (d) The department shall determine, in consultation with the  
40    advisory committee, the most effective methods to promote

1 implementation of source reduction education programs by CUPAs,  
2 small business development corporations, business environmental  
3 assistance centers, and other regional and local government  
4 environmental programs. Program elements may include, but are  
5 not limited to, all of the following:

6 (1) Sponsoring workshops, conferences, technology fairs, and  
7 other training events.

8 (2) Sponsoring regional training groups, such as the regional  
9 hazardous waste reduction committees.

10 (3) Developing and distributing educational materials, such as  
11 short descriptions of successful source reduction projects and  
12 materials explaining how source reduction has been used by  
13 businesses to achieve compliance with environmental laws  
14 enforced by local governments.

15 (4) Developing site review checklists, training manuals, and  
16 technical resource manuals and using those resources to train  
17 CUPAs, small business development corporations, business  
18 environmental assistance centers, and other regional and local  
19 government environmental programs.

20 (5) Preparing and distributing resource lists such as lists of  
21 vendors, consultants, or providers of financial assistance for source  
22 reduction projects.

23 (6) Serving as an information clearinghouse to support telephone  
24 and onsite consultants with local governments.

25 ~~(d)~~

26 (e) Each fiscal year, the department shall provide training and  
27 information resources to at least 90 percent of CUPAs.